




George R. Hodges
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

| | | |
|-------------------------------|---|-------------------|
| In Re: |) | Case No. 10-31607 |
| |) | |
| GARLOCK SEALING TECHNOLOGIES, |) | Chapter 11 |
| LLC., et al., |) | |
| |) | Jointly |
| Administered |) | |
| Debtors. ¹ |) | |
| _____ |) | |

ORDER DENYING DEBTORS' "DAUBERT" MOTIONS

The debtors have filed the following motions pursuant to Fed. R. Evidence Rule 702 and Daubert v. Merrill Dow Pharmaceuticals: Debtors' Motion to Exclude or Strike Committee Medical Expert Witness Opinions; Debtors' Motion to Exclude or Strike Committee Industrial Hygiene Expert Witness Opinions; and Debtors' Motion to Exclude or Strike Committee and FCR Estimation Expert Witness Opinions. The

¹ The Debtors in these jointly administered cases are Garlock Sealing Technologies, LLC ("Garlock"), Garrison Litigation Management Group, Ltd., and The Anchor Packing Company.

court has concluded to deny those motions. This was a non-jury hearing, and the gatekeeping function of Rule 702 and Daubert are not as necessary as in a jury trial. The court has heard all of the testimony of the subject expert witnesses and has made its determinations about that evidence. Those determinations are contained in the estimation order entered contemporaneously with this order.

It is therefore ORDERED that:

1. Debtors' Motion to Exclude or Strike Committee Medical Expert Witness Opinions is denied;
2. Debtors' Motion to Exclude or Strike Committee Industrial Hygiene Expert Witness Opinions is denied; and
3. Debtors' Motion to Exclude or Strike Committee and FCR Estimation Expert Witness Opinions is denied.

This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court